

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**JOHN DANIEL MARTIN**

**PETITIONER**

**VS.**

**CIVIL ACTION NO. 5:09-CV-28-DCB-MTP**

**BRUCE PEARSON, Warden**

**RESPONDENT**

**ORDER**

THIS MATTER is before the court upon a “Subpoena Duces Tecum” [18] filed by Petitioner, which the court construes as a motion for a subpoena duces tecum. In the motion, Plaintiff requests “that the clerk of the court produce any affidavit(s) rebutting your petitioner’s affidavits, placed in the record, in accord to contract law.” It is unclear what Petitioner is seeking, nor is there any basis for relief apparent to the court.<sup>1</sup> Accordingly,

IT IS ORDERED that Plaintiff’s motion [18] for a subpoena duces tecum is denied.

SO ORDERED on this 21st day of August, 2009.

s/ Michael T. Parker

United States Magistrate Judge

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<sup>1</sup> Indeed, the motion is peppered with legal references and phrases that do not appear to have any relevance or connection to the instant motion. For example, Petitioner refers to himself as a “secured party/creditor,” a “holder-in-due-course” and a “record holder,” and he cites to the Uniform Commercial Code as well as the “Truth-N-Lending Regulation Z Doctrine.” *See* motion [18].